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REQUEST FOR THE INCLUSION OF AN ITEM IN THE PROVISIONAL AGENDA OF THE FIFTIETH SESSION

OBSERVER STATUS FOR THE CENTRAL AMERICAN INTEGRATION SYSTEM IN THE GENERAL ASSEMBLY

Letter dated 18 July 1995 from the representatives of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama to the United Nations addressed to the Secretary-General

On instructions from our respective Governments, we hereby request, as representatives of the States parties to the Tegucigalpa Protocol to the Charter of the Organization of Central American States (ODECA), that a new item entitled "Observer status for the Central American Integration System in the General Assembly" be included in the agenda of the fiftieth session of the General Assembly, pursuant to rule 13 of that body's rules of procedure.

In accordance with rule 20 of the rules of procedure of the General Assembly, we are submitting herewith an explanatory memorandum (see annex) and the relevant draft resolution (see appendix).

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Chargé d'affaires a.i. of the
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to the United Nations

(Signed) Gerardo MARTÍNEZ BLANCO
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Annex

Explanatory memorandum

I. THE CENTRAL AMERICAN INTEGRATION SYSTEM

The reorganization of the Central American integration process resulted in the Tegucigalpa Protocol to the Charter of the Organization of Central American States (OCAS), a/ signed on 13 December 1991. This Protocol established the Central American Integration System (SICA), which began operations on 1 February 1993.

The new vision of Central American development sees SICA as the regional organization best equipped to meet current needs, since its objectives and principles reflect political, social, economic and cultural conditions in the Central American countries, as well as the traditions and deepest aspirations of their peoples. Moreover, SICA was designed on the basis of past experience in terms of economic integration and the crisis of the 1980s, the peace process which has the support of the Central American people and the changes introduced in national constitutions with a view to fashioning a region of peace, freedom, democracy and development in Central America, as well as the comprehensive development strategy known as the Alliance for Sustainable Development. b/

This new regional situation, epitomized by SICA, is that of a more open, stable and democratic Central America.

More open, because in addition to reaffirming our ties with the United Nations and the Organization of American States (OAS), we have devised mechanisms and strategies for broadening and intensifying the region's participation in the international arena.

More stable, because we now have definite, clearly formulated objectives and principles to steer the course of regional action and of political thinking and decision-making in Central America. These objectives and principles are spelled out in the Tegucigalpa Protocol to guide the search for ways to ensure the overall well-being and sustainable development of Central Americans; they include the goal of fashioning a region of peace, freedom, democracy and development in Central America, whose security will be based primarily on the strengthening of civilian government, the elimination of extreme poverty, the promotion of sustained development, protection of the environment and the eradication of corruption, violence, terrorism and trafficking in drugs and arms.

To achieve that objective, the fundamental and legitimate basis for all regional actions must be protection of, respect for and promotion of human rights. Without that underpinning, the legal and political structure of SICA would have no foundation or purpose.

With the institution of SICA, integration is no longer sectoral - that is, commercial and economic - but comprehensive, meaning that it extends to the

economic, social, cultural and political spheres and seeks to promote their harmonious and balanced development.

Consequently, SICA comprises four sub-systems: economic, social, cultural and political. Environmental conservation and the building of a new ecological order in the region is another objective of the System and constitutes the basic pillar of the comprehensive human development strategy known as the Alliance for Sustainable Development.

Thus, the general coordination of all of these sub-systems is the linchpin of integration efforts, and has been entrusted to the Council of Ministers for Foreign Affairs and, on an ongoing basis, to the General Secretariat of SICA. These bodies follow up on regional decisions and policies, prepare documentation for political decision-making and ensure the proper observance and implementation of the Tegucigalpa Protocol.

The immediate objective of this overall coordination, which is carried out jointly and with due respect for each sub-system's functional autonomy, is to guarantee development, as well as unity and coherence in Central American intraregional activities and in relations with third States, groups of States and international organizations.

The Meeting of Central American Presidents is the supreme organ of SICA with respect to decisions concerning development, freedom, peace and security.

These decisions are followed up by the Councils of Ministers and the General Secretariat, which is also the Permanent Secretariat of the Meeting of Central American Presidents, and by the specialized technical secretariats, with the support of the integration institutions of the different sub-systems.

The Meeting of Vice-Presidents acts as an advisory and consultancy organ for the Meeting of Presidents.

Another main body is the Central American Parliament, which acts as an organ for exposition, analysis and recommendation under its Constituent Treaty.

In order to institute legal safeguards to preserve the rule of law in the region, the Central American Court of Justice was established to guarantee respect for the Tegucigalpa Protocol and its supplementary instruments and acts pursuant to it. The Court is the main judicial organ of SICA.

To strengthen the chances of success of regional action by making it consistent, lasting and reliable and by responding to the deeply felt needs and fully recognized aspirations of Central Americans, SICA has a Consultative Committee which provides a forum for the democratic and institutional participation of the community, at the level of private or non-governmental institutions organized regionally in Central America.

Regarding the significance of SICA, on 15 June 1994, in their joint declaration to the Fourth Ibero-American Summit of Heads of State and Government, the Presidents of the Central American States said the following:

Thanks to the will of its peoples and Governments, Central America has established a firm and lasting peace based upon dialogue, democracy, justice and reconciliation. Thus, it has overcome a crisis which originated in the region itself, but was exacerbated by the cold war and the confrontation between the super-Powers.

The fruits of that effort can now be seen in improved levels of stability and in the creation and implementation of the Central American Integration System (SICA), accompanied by the consolidation of democratic institutions born of the free expression of the will of the people in fair and open elections. This auspicious situation places Central America in an exceptional position among those regions of the world which have, during the past 10 years, gone through a difficult process of democratic transition. It also enables our region to move forward from an agenda for peace towards an agenda for sustainable human development, which is the main objective that our peoples must pursue in the interests of guaranteeing continued progress.

This position was reiterated at the fifteenth Meeting of Presidents of Central America, in Guácimo, Costa Rica, on 20 August 1994 when they stated that: c/

"Central America has changed. In the short time that has elapsed since the Esquipulas I agreement, Central Americans have almost completely succeeded in containing the political violence that had ravaged several countries in the region; democracies have been established and transformed; respect for human rights has been strengthened, and the new regional integration system has been defined."

II. THE CENTRAL AMERICAN INTEGRATION SYSTEM AND ITS INTERNATIONAL RECOGNITION

SICA enjoys international recognition. As an example, at their meeting in Brazil, on 15 and 16 July 1993, the Ibero-American Heads of State and Government stated: d/

"We recognize the importance of the entry into force, on 1 February 1993, of the Central American Integration System (SICA), under the Tegucigalpa Protocol, whose main objective is to establish Central America as a region of democracy, development, peace and freedom, based principally on the respect, safeguard and promotion of human rights. We exhort the States and international organizations involved to cooperate effectively so that SICA promotes and strengthens the subregional integration of Central America and achieves its basic aim."

For its part, on 10 June 1994, the General Assembly of the Organization of American States adopted a resolution (AG/Doc.3157/94), welcoming the signing of the Cooperation Agreement between the General Secretariat of the Organization and the General Secretariat of SICA and calling for the establishment of a programme of cooperation between the two organizations.

On 20 September 1994 the United Nations Conference on Trade and Development (UNCTAD) recognized SICA as an entity having consultative status.

III. THE CENTRAL AMERICAN INTEGRATION SYSTEM AND THE UNITED NATIONS

SICA is the successor to OCAS, which was established by the Charter of San Salvador, signed on 12 December 1962 by five Central American States. As such, it is also a regional arrangement within the meaning of Chapter VIII of the United Nations Charter. Its influence also extends into the field of activity covered in Chapter IX (Articles 55 and 56).

The relationship between the United Nations and SICA is one of complementarity, since the United Nations is an organization of a universal nature and SICA is a subregional integration organization one of whose basic principles is respect for the principles and norms of the United Nations Charter.

The United Nations will strengthen the realization of its aims and purposes at the international level by effectively coordinating its world-wide activities with those of subregional organizations, in this case, with SICA.

The participation of SICA as an observer in the General Assembly of the United Nations will help the subregional organization reaffirm and consolidate Central American self-determination in external affairs, through a common strategy which will strengthen the participation of the region as a whole in the international field.

In its resolution 49/137 of 19 December 1994, entitled "The situation in Central America: Procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development", the General Assembly declared that it was aware of the importance of supporting the efforts of the Central American Governments for the consolidation of a firm peace in Central America, and that the Central American Integration System constituted the institutional framework for subregional integration through which integrated development could be promoted in an effective, orderly and coherent manner.

It went on to emphasize the functioning of the Central American Integration System since 1 February 1993 and the registry of the Tegucigalpa Protocol with the United Nations Secretariat, expressed its full support for the efforts made by the Central Americans to stimulate and broaden the integration process in the context of the Central American Integration System, and called on Member States and international organizations to provide effective cooperation to Central America so that it might steadily promote and strengthen subregional integration and achieve its fundamental goal (resolution 49/137, preamble and para. 5). Resolution 48/161 of 20 December 1993, adopted by the Assembly at its forty-eighth session, referred to SICA in the same terms.

Notes

a/ A/46/829-S/23310, annex III.

b/ A/49/580-S/1994/1217, annex I.

c/ see A/49/340-S/1994/994, annex.

d/ A/48/291-S/26242, annex.

APPENDIX

Draft resolution

Observer status for the Central American Integration System in the General Assembly

The General Assembly,

Considering that the Tegucigalpa Protocol, a/ registered with this Organization, modifies the purposes and principles and the institutional structure of Central America, formerly established as the Organization of Central American States, and institutes the Central American Integration System,

Noting that the Central American Integration System establishes respect for the purposes and norms of the Charter of the United Nations as one of its fundamental principles,

1. Decides to invite the Central American Integration System to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. Requests the Secretary-General to take the necessary action to implement this resolution.

Notes

a/ A/46/829-S/23310, annex III.